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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,688	08/10/2005	Christoph Nemmaier	P04,0367	1463

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EXAMINER	
HON, MING Y	

ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/521,688	NEMMAIER ET AL.	
	Examiner	Art Unit	
	MING HON	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 August 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) *1-12* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *13-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 January 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 18 January 2005 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document. A copy of the foreign patent document 03045973 was not provided by the applicant and is not considered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. **Claims 13-16, 20-26 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Parry USPN 6666594.**

4. As per Claim 13, Parry teaches a method for error handling in a printer or copier, comprising the steps of:

detecting with a plurality of monitoring units error states of the printer or copier; (Parry, Column 2, Lines 15-17)

transmitting the detected error states to a controller; (Parry, Figure 3, "Error detected" sent from E1, E2, and E3 to Component E4)

storing a plurality of successively transmitted error states in a storage; evaluating the stored error states by the controller; (Parry, Figure 3, Component E5)

comparing the stored error states with predetermined error patterns and determining at least one error type; and executing further steps by the controller dependent on the error type. (Parry, Column 6, Lines 25-45 and Figure 3, Components E5-E6; the errors are detected and then compared to an archive of printer errors then depending on the error, appropriate information and solution is outputted to the user)

5. As per Claim 14, Parry teaches a method according to claim 13 wherein a causative error is determined upon evaluation of the error states. (Parry, Column 6, Lines 25-45 and Figure 3, Components S1, S2, and S3, a error may be detected in one of the multiple error detectors and when evaluated may be determined as causative.)

6. As per claim 15, Parry teaches a method according to claim 13 wherein an error group is selected upon evaluation of the error states, whereby the further steps are established dependent on the selected error group. (Parry, Column 7, Lines 31-45)

7. As per claim 16, Parry teaches a method according to claim 13 wherein at least one of the type and a sequence of the occurred error states is considered upon comparison of the stored error states with error patterns. (Parry, Column 7, Lines 31-45)

8. As per Claim 20, Parry teaches a method according to claim 13 wherein error states transmitted up to a shutdown of the printer or copier are evaluated with aid of a predetermined error evaluation algorithm, whereby at least one error type is determined. (Parry, Column 7, Lines 32-45, some type of algorithm implemented to determine error type)

9. As per Claim 21, Parry teaches a method according to claim 13 wherein dependent on the error type and at least one of the transmitted error states, the printer or copier at least one of is automatically restarted, an automatic start is prevented, and a signaling of the error to a superordinate controller occurs. (Parry, Figure 3, Path from Component E3 to E7, signaling of the error is equivalent to sending the error to the controller)

10. As per Claim 22, Parry teaches method according to claim 13 wherein the printing or copying event is ended after the transmission of an error state, and all error states transmitted up to a shutdown of the printer or copier are stored in the storage and used for evaluation. (Parry, Figure 3, if the printer is not on, and then no errors will be detected. Error detection is followed by error evaluation therefore the error states will be stored and evaluated if the printer is on)

11. As per Claim 23, Parry teaches a method according to claim 13 wherein the stored error states are erased in the storage after the evaluation of the error states. (Parry, Figure 3, Components E1, E2, E3, and E4; the errors detected are sent to a memory where it is stored and evaluated. Memory modules have limited space and therefore when it reaches its limit will delete the errors to reallocate the memory for more errors)

12. As per Claim 24, Parry teaches a device for error handling in a printer or copier(Parry, Column 2, Lines 15-17), comprising:

a controller that transmits error states occurring in the printer or copier; (Parry, Figure 3, "Error detected" sent from E1, E2, and E3 to Component E4)

a storage in which a plurality of successively transmitted error states are stored; (Parry, Figure 3, Component E5)

the controller comparing the stored error states with predetermined error patterns and determining at least one error type; and the controller implementing further measures dependent on the error type. (Parry, Column 6, Lines 25-45 and Figure 3, Components E5-E6; the errors are detected and then compared to an archive of printer errors then depending on the error, appropriate information and solution is outputted to the user)

13. As per Claim 25, Parry teaches a method for error handling in a printer or copier, comprising the steps of:

detecting with a monitoring system error states of the printer or copier; (Parry, Column 2, Lines 15-17)

transmitting the detected error states to a controller; (Parry, Figure 3, "Error detected" sent from E1, E2, and E3 to Component E4)

storing a plurality of transmitted error state in a storage; evaluating the stored error states by the controller; (Parry, Figure 3, Component E5)

comparing the stored error states with at least one predetermined error pattern and determining at least one error type; and executing at least one further step by the controller dependent on the error type. (Parry, Column 6, Lines 25-45 and Figure 3, Components E5-E6; the errors are detected and then compared to an archive of printer errors then depending on the error, appropriate information and solution is outputted to the user)

14. As per Claim 26, Parry teaches a device for error handling in a printer or copier, comprising:

a controller that transmits error states occurring in the printer or copier; (Parry, Figure 3, "Error detected" sent from E1, E2, and E3 to Component E4)

a storage in which a plurality of transmitted error states are stored; (Parry, Figure 3, Component E5)

the controller comparing the stored error states with at least one predetermined error pattern and determining at least one error type; and the controller implementing at least one further measure dependent on the error type. (Parry, Column 6, Lines 25-45 and Figure 3, Components E5-E6; the errors are detected and then compared to an archive of printer errors then depending on the error, appropriate information and solution is outputted to the user)

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

16. **Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parry USPN 6666594 and in view of Chiba USPN 6665088.**

17. As per Claim 17, Parry teaches a method according to claim 13. Parry also teaches sending of an error notification to a superordinate controller. (Parry, Figure 3, as seen any error detected is sent to a printer error archive to determine the type of error and retrieve information of how it is to be handled)

Parry does not teach wherein the controller implements at least one of an automatic error correction; However Chiba teaches it. (Chiba, Column 13, Lines 29-54 and Figure 10; a error occurred and detected and the solution is automatically implemented if the condition is satisfied)

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Chiba into Parry. Parry teaches an error

detection process that involves identifying the error and provided solutions to the user on how to resolve the error. Not all errors need user intervention to resolve. Certain errors such as an underrun error as discussed by Chiba would have an obvious solution of resending the data again. The consultation of an error database would be unnecessary and lead to inefficient operation of the system. Chiba teaches a beneficial addition to Parry

Therefore it would have been obvious to one of ordinary skill to combine the two references to obtain the invention in Claim 17.

18. As per Claim 18, Parry in view of Chiba teaches a method according to claim 17 wherein the controller is connected with a host system, whereby the controller only registers with the host system occurrence of errors that cannot be corrected automatically. (Chiba, Column 13, Lines 29-54 and Figure 10; a error occurred and detected and the solution is automatically implemented if the condition is satisfied, the error would need to access data from the host but not inform the host of the error by going through a error identification process)

Analysis is analogous to that made in Claim 17.

19. As per Claim 19, Parry in view of Chiba teaches a method according to claim 17 wherein information about the error type of error states that could be automatically remedied are stored at least in one error storage of the controller. (Parry, Figure 3, as seen any error detected is sent to a printer error archive to determine the type of error and retrieve information of how it is to be handled therefore the commands that allow automation are stored)

Analysis is analogous to that made in Claim 19.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MING HON whose telephone number is (571)270-5245. The examiner can normally be reached on Mon- Fri 7:30 to 5:00 EST; 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark K. Zimmerman can be reached on (571)272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. H./
Examiner, Art Unit 2625

/Mark K Zimmerman/
Supervisory Patent Examiner, Art Unit 2625